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MESSAGE

OF

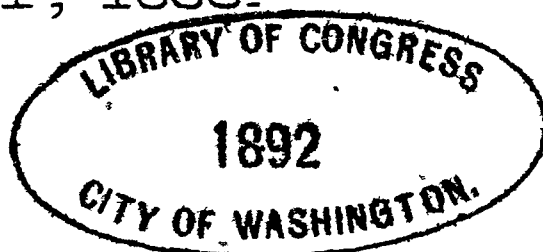
THOS. J. CHURCHILL,

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Governor of the State of Arkansas.

TO THE

GENERAL ASSEMBLY,

JANUARY, 1883.



BY AUTHORITY.

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MESSAGE
OF
THOS. J. CHURCHILL,
GOVERNOR OF THE STATE OF ARKANSAS,
TO THE
GENERAL ASSEMBLY.

STATE OF ARKANSAS,
EXECUTIVE OFFICE,
LITTLE ROCK, January 8, 1882. }

Gentlemen of the Senate and of the House of Representatives:

After an interval of two years you are again assembled to consider the welfare of the people you represent, and to adopt such laws as their best interests may seem to require; and that you may the more thoroughly accomplish this task the Constitution has made it the duty of the Governor to give you "information concerning the condition and government of the State, and to recommend such measures as he may deem expedient."

Before entering upon this duty, allow me to congratulate you upon the returning prosperity of our people, after a year of such unprecedented droughts and short crops as the year before the last one was, followed by a spring of unexampled high waters, flooding almost the entire portion of the State lying adjacent to the Mississippi river, and caus-

ing a frightful loss of life as well as great destruction of property.

The year just closed has been one of propitious seasons and bountiful crops, going far to repair the losses of the previous year, and to again stimulate trade, manufactures and all other industries, and to set in motion once more the strong current of immigration flowing into the State.

Our people owe a debt of gratitude to the Congress of the United States, and especially to our own senators and representatives, for the timely and ample appropriations made, and to the national administration for the prompt and energetic manner in which supplies were purchased and forwarded to agents of the State to be distributed among the suffering. Had there been less promptness or liberality, on the part of the national government, the loss of human life and of farming stock would have been terrible in the overflowed district.

While upon this subject it would not do to pass by the fact that a large number of the tax-payers in the upland, as well as in the overflowed counties, were, through the failure of crops, unable to settle their taxes for the year 1881, and consequently, in addition to the taxes of 1882, now about to fall due, they find themselves burdened with the tax and heavy penalty for the failure of 1881. These taxes, and the penalty, coming so soon upon the heels of a short crop, will necessarily work great distress. Imitating the liberality of the general government towards our people, it seems to me it would be both wise and proper that the General Assembly should abolish all penalties for the non-payment of the taxes of 1881. It will be seen, by reference to the Auditor's report, that he makes the same recommendation, and I most heartily concur with him. The State can better afford to lose both tax and penalty than to oppress its people by the enforced collection of the penalty.

At the beginning of the late war the system of levees upon our navigable rivers was almost complete, affording

ample protection against overflow. During the war a large part of the levees were broken and washed away, and it is to this fact that the great calamity of last spring, causing such wide spread ruin, is to be attributed. It is gratifying to know that congress has taken the matter in hand, and by large appropriations of money, proposes to do, what the State is wholly unable to do, repair and restore our former almost perfect and complete levee system. This, it is to be hoped, will be accomplished before another overflow. The eastern portion of the State is largely composed of "swamp and overflowed lands," which, when levied, drained and put in cultivation, owing to its wonderful fertility, will be "the garden spot of the world."

REPORT OF THE SECRETARY OF STATE.

Is a model document, in all respects, and is far in advance of anything heretofore issued. It is almost a complete history of the State; is in keeping with the age, progressive and full of valuable information. The business of the office has rapidly increased within the last two years, and as you will see, is self sustaining, its receipts being far beyond its expenditures. The duties of the Deputy are onerous and heavy, and I fully concur with the Secretary, that the salary is inadequate to the work performed. I can see no good reason why his salary should not be raised to a like amount received by the deputies of the other departments of the State government.

STATE FINANCES.

During the past two years, the ten per cent. bonds of the State, known as the Baxter war bonds, amounting originally to \$280,443.02, have been redeemed and cancelled, and are now in the treasury. The Board of Finance was enabled to redeem all these bonds, by reason of the fact that a judgment for \$240,000 was obtained in the Supreme Court against the Memphis and Little Rock railroad company, which amount was paid to the State Treasurer on ac-

count of money loaned the company by the State to the amount of \$100,000 in 1861. Before this judgment was rendered and the money paid into the treasury, the State Board of Finance had redeemed \$80,000 of these bonds at their market value. There is now practically nothing outstanding on account of this indebtedness.

Of State scrip, or Treasurer's certificates, there is but little in circulation, and that passes very readily at par, and is receivable in payment for taxes due the State. A law ought to be enacted providing that the State shall receive Auditor's Warrants, and certificates of indebtedness, in payment of taxes, the same as State scrip.

By reference to the reports of the Treasurer and Commissioner of State Lands, it will be seen that both recommend the repeal of the donation or homestead law, and that the forfeited lands, which now amount to over 3,000,000 acres, be reserved, or sold only for the extinguishment of the State debt. This would seem to be a wise provision, and I most heartily concur in its recommendation.

Among the first things, however, to determine, is, of what does the just and legal debt consist? The legality and justness of a portion of this debt is questioned, and much bad feeling has been engendered among the people of the State. Among all classes, however, there is a disposition to act honorably and honestly by the State's creditors. Who are they? How and for what purpose was each class of indebtedness created? To what extent is the State liable, legally and equitably? These are questions which seriously affect the State, and in answering them the General Assembly should be careful to do nothing which would in the least tarnish our reputation for honesty and fair dealing. Some definite and decided action should be taken, looking to a satisfactory adjustment of our entire indebtedness. I have no particular plan to suggest, but it occurs to me that before doing anything of a definite character, there should be a commission appointed to investigate and report on this whole subject.

That done, intelligent action can be had. The masses of the people are honest and in favor of honest methods, and the one important point first to determine is, whether common honesty demands payment of any portion of our disputed indebtedness. A technical defect may relieve us from legal liability, but unless the same be grounded in honor, it cannot be defended.

Repudiation, in any form or in any shape, can be fraught only with evil. No constitutional enactment can do away with the State's legal responsibility for paper issued by her. And this brings up a question which deserves serious consideration.

The history of the issuance of \$5,300,000 of bonds to aid in the construction of railroads is well known. The bonds were issued to the roads, taken to New York and other commercial centers, sold, and the proceeds used by the roads to aid in their construction. When this was done, there was a contract between the roads and the State that the latter should be held harmless. These bonds are now in the hands of innocent purchasers. Because the Supreme Court of the State has declared the act under which the bonds were issued illegal, and as the General Assembly at its extraordinary session in 1874, repealed the act providing for the sequestration of the earnings of the roads, in default of payment of interest, it is contended that the innocent holders of the bonds should receive nothing. So far as the State is concerned she cannot be expected, nor is it assumed, by even the bondholders, that she ought to pay any part of this indebtedness. But does she not owe a duty to the innocent purchasers of her bonds, to see that they are protected, and that the roads are compelled to comply with their contract? The State has the power, through the Legislature, undoubted and supreme, to tax the railroads in an amount sufficient to meet the yearly interest, and eventually the principal of these bonds; this, irrespective of the unconstitutionality of

the law under which they were issued. Is not this much, at least, due to the innocent purchasers of our bonds, who bought them solely because they were issued by the State, and were sold on the faith and credit of the State? The re-enactment of a law which has this object in view, will save the honor and integrity of the State, and do but simple and exact justice.

Since commencing my Message, the Circuit Court of the United States, for this State, has rendered a decision in regard to these Railroad Aid bonds, sustaining this view of the case, and therefore strengthens this, my recommendation.

As to the exact amount, if any, which the State should now pay on account of the outstanding Holford bonds, no two seem to agree; but it does seem to me to be wrong to outlaw any class of indebtedness before being passed upon by any of the courts of the State. Nor does there appear to be any clearly defined opinion as to the amount the State should assume and pay on account of Auditor's Swamp Land warrants, and the class of indebtedness growing out of them. All these things, if we would do equal and exact justice to the State and her creditors, argue more powerfully in favor of the appointment of a commission to investigate this whole subject than any argument I could make.

There is a class of indebtedness to which my two predecessors, together with myself, have heretofore called the attention of the Legislature, and I desire again to emphasize all that has heretofore been said on the subject. I refer to the judgment held by citizens against the State on account of property taken from them during the pending of martial law in several counties in 1869. Provision for the payment of this debt should be made at once. It is a shame that none has heretofore been made.

There are still some unpaid claims by citizens of Scott county, for performance of militia duty and for supplies

furnished, which should claim your attention, and provision made for its prompt settlement.

REPORT OF BOARD OF FINANCE.

As the Governor, by act of the Legislature, is President of the Board of Finance, and I fully concur in the action of said board, I make their report a part of this message:

OFFICE STATE BOARD OF FINANCE,

January 1, 1883.

To the General Assembly of Arkansas:

The State Board of Finance submit the following report of their action since their last report:

On the eighteenth day of March, 1881, the Board contracted a loan through Messrs. Matthews and Whittaker, of St. Louis, for the sum of thirty thousand dollars, with which to pay the expenses of the General Assembly of 1881, for which notes were given, payable on the 18th day of March, 1882, with interest at the rate of six per cent. per annum. A second loan was made on the 22nd of March, 1881, through Messrs. Matthews and Whittaker, for fifty thousand dollars, payable June 22, 1882, with interest at the rate of six per cent. per annum. A third loan was made on the 20th of July, through the same parties, for one hundred and twenty-five thousand dollars, note given by the State payable in twelve months, interest at the rate of five per cent. per annum. All of the above mentioned loans have been paid. The Board negotiated a loan through the German Bank on the 12th of September, 1882, for one hundred thousand dollars, at the rate of six per cent. per annum, payable in twelve months. This last sum is all that the revenue for 1882 is pledged for. The current expenses of the State will all be paid up to the first of January, 1883.

T. J. CHURCHILL,

W. E. WOODRUFF, JR.,

JNO. CRAWFORD.

The reports of the Auditor and Treasurer will give you a full and detailed statement of the receipts and expenditures.

of the public moneys. The total amount of warrants drawn by the Auditor for the two years ending September 30, 1882, was \$1,356,392.80, of which sum \$498,382.63 was used in paying the current expenses of the State government, two years ending the 30th of September last.

PUBLIC SCHOOLS.

We have to mourn the unfortunate death of James L. Denton, Superintendent of Public Instruction, who was a man eminently fitted for such work—untiring, energetic and full of ambition. He has done more than any man in the State to advance the interest of the public schools, and we may say that our free school system now will equal that of many of the older States. An education is now within reach of our humblest and poorest citizen, and it becomes you to encourage and foster it and enact wise laws for its protection. I appointed Mr. Dunbar H. Pope to fill the unexpired term. He was qualified to finish the duties of his predecessor. His report justifies my appointment—is full and ample, and bears the impress of much study and thought. I lay it before you.

The salary of this officer is entirely too low, and unless some change is made it is not to be expected that the best talent can be secured for this position.

THE INSANE ASYLUM,

With the liberal appropriation made at the last session of the Legislature, has been completed, and it stands as a monument of the State's bounty and liberality. It is a pride and honor to the State. Still much needs to be done before that class of unfortunate people can be admitted within its walls. The gentlemen whom I appointed as trustees deserve much credit for their work, for it has been the wonder of every one that such a magnificent structure could be erected for the amount of money appropriated. It is hardly necessary for me to press upon you the importance of making a liberal appropriation for the furnishing, and everything needed to commence operations. For further

particulars I would call your attention to the report of the Board of Directors. Unless something is speedily done many of those unfortunate beings will be compelled to spend the winter in our cheerless county prisons.

PUBLIC CONTRACTS.

The various boards appointed for that purpose have, in all instances, fully complied with the provisions of the General Assembly on that subject. The contract for binding was awarded to Mitchell & Bettis for the two years ending December 31st, 1884; for furnishing stationery, to L. W. Reardon; for wood, to John Shillcutt; furnishing Hall of Representatives and Senate Chamber, to Ottenheimer Bros. the public printing was awarded to George Woodruff, for the two years commencing January 1st, 1883; supplying of coal, to Thomas Lafferty. After due consideration the contract for the leasing of the Penitentiary was awarded to Messrs. Townsend & Fitzpatrick. The Commissioners acted for the best interest of the State, and accordingly their bid was accepted. It yields to the State a certain net revenue, besides obligating the contractors to pay all expenses for the transportation of prisoners from place of conviction to the prison. The revenue to the State from this source will increase annually.

SCHOOL FOR THE BLIND.

You are most respectfully referred to the reports of the Trustees and Superintendent for detailed statements in regard to this Institution. More room is needed and improvements to be added. The Superintendent asks nothing unreasonable, and liberal appropriations should be made to carry out the objects in view. The blind are the wards of the State, and it is her duty to see that they are properly cared for.

DEAF MUTE INSTITUTE.

I herewith submit for your consideration the reports of the President of the Board and the Superintendent. Like

that of the Blind, they call for your aid, sympathy and protection. I feel assured, that you will make liberal provision for the support and maintenance of this Institution.

STATE BOARD OF HEALTH.

Which was created at the last session of the Legislature, has been organized, and is working earnestly for the best interests of the State. I consider it one of the most important departments of the State, as it controls the health and life of her citizens. Should their suggestions be fully carried out, you will, in a short period, see a marked improvement in the health and condition of our citizens. I congratulate the Board upon the efficiency of their work, under the difficulties with which they had to contend.

THE ARKANSAS INDUSTRIAL UNIVERSITY.

I herewith submit for your consideration the report of the Trustees and Board of Visitors. This Institution is now on a firm and solid basis, and has gained a reputation beyond our own borders. It is hardly necessary for me to impress upon you to make liberal appropriations for its support. I congratulate the people in once more having at its head its most able and efficient President, D. H. Hill.

The building for a Branch Normal College, for the education of colored teachers, near Pine Bluff, provided for by the last General Assembly, has been completed. It is of brick, trimmed with stone, with slate roof, large and commodious, and presents a handsome appearance. It is already in operation, with teachers and pupils. For further particulars, I refer you to the report of the Arkansas Industrial University, of which it has been made a branch.

COMMISSIONER OF STATE LANDS.

I would most earnestly call your attention to his report. It is an elaborate document. He has charge of the landed interest of the State. He makes many valuable suggestions which might be well for your honorable body to consider.

METEOROLOGICAL REPORT.

The report of W. U. Simons, signal officer at this point, is hereby submitted. It contains much valuable and interesting information as regards the weather, rainfalls, etc. It should be printed and filed away among the archives of the State for future reference.

ATTORNEY-GENERAL.

I refer you to the able and efficient report of the Attorney-General. It contains many important recommendations and valuable suggestions. You in your action will know what is most proper to do.

A NEW DIGEST.

The laws of the State have not been revised and digested for ten years, and a revision is now greatly needed. I recommend that a law be enacted requiring the work to be done, making a sufficient appropriation to pay the expenses and authorizing the Governor to appoint a reviser and an examiner, at a fixed compensation.

THE INVESTIGATION OF THE TREASURER'S BOOKS AND ACCOUNTS.

The investigation of the Treasurer's books and accounts ordered by the Senate at the last session of the General Assembly, has been made, and the committee appointed for that purpose has filed its report in the office of the Secretary of State. The resolution providing for the investigation gave no directions to the Governor as to the disposition of the report, but immediately after it was presented I caused it to be placed in the hands of the Attorney-General, as I said I would in my communication to the Senate of March 19th, 1881, and requested him to take such action in regard to it as his duty required of him. When any proceedings are taken in any proper tribunal to fix the liability arising out of the matter contained or referred to in that report, I will be prepared to make my showing of my acts and doings

as Treasurer, and, I think, to vindicate my name as such officer.

There is due from the general government to the State a considerable amount on account of lands donated by the United States to the State for the reclamation of swamp and overflowed lands, and afterwards sold by the government. My predecessor appointed Hon. J. N. Smithee, late State Land Commissioner, to look after this interest of the State, which appointment was concurred in by me and referred to the General Assembly for its concurrence. Of this matter Col. Smithee has intimate knowledge, and I would recommend the ratification of his appointment on the same terms as the appointment of Compton and Marlin, a few years ago by Gov. Baxter, to take charge of and look after the State's interest in what is generally known as the five per cent. fund.

PARDONS, ETC.

I lay before the General Assembly a list of the pardons, reprieves and commutations, that have been granted during the past two years. By the Constitution the pardoning power has been placed in the hands of the governor. It is a grievous responsibility to be placed upon any single individual, besides it takes up too large a portion of the Executives's time considering and passing upon applications and petitions for pardons. I recommend that an advisory board, composed of the Secretary of State and the Attorney General, be established by law to recommend and advise the governor in granting pardons.

PERRY COUNTY TROUBLES.

In June, 1881, Hon. L. M. Harris, the County and Probate Judge of Perry county, called upon me officially, with the statement that a spirit of disorder prevailed in his county, which the local authorities were either powerless or unwilling to control; that a few nights previous the office of the Fourche Valley Times, a newspaper published in the

town of Perryville, and the only one then published in the county, had been secretly fired, by incendiaries, and that about the same time threatening letters had been sent to Capt. J. L. W. Matthews, the editor and publisher of the paper, and to himself; that these letters gave the parties to whom addressed to understand, that their lives were in danger should they remain in the county; that an effort had been made to ferret out the guilty parties with a view to bringing them to justice by means of the law, but the local magistrates had shown themselves either overawed by, or in sympathy with, the friends of the suspected parties; that a few days afterwards, while he was holding his court in the court-house in Perryville, a party of about twelve or fifteen heavily armed men had boldly ridden into town, coming from the direction of "upper Fourche," and making their way even to the public square, and that their avowed object was to forcibly control the action of the County Court, then in session, as above stated; that, learning of their approach, and believing that there would be blood shed, if he attempted to maintain order, or even should remain within reach of the rioters, he had hastily left the bench, without adjourning his court, fled to Morrilton, in Conway county, and had there taken the train for Little Rock, for the purpose of soliciting the aid of the Executive in maintaining order and enforcing the law in Perry county. He seemed to be earnestly impressed with the belief that no other means than military force could have effect in curbing the disorderly spirit in the county, and, though apparently not a man wanting in physical courage, he was decided in his statement that it would be unsafe for him to return home alone and without some action upon the part of the State authorities evincing a determination to repress disorder and enforce obedience to law.

I was averse to taking action, if, by the ordinary means of the law, the public peace could be preserved and the supremacy of the law maintained, and

accordingly sent for Major Gen. R. C. Newton, and instructed him to accompany Judge Harris to Perryville, ascertain the exact condition of affairs, and recommend such course as would best preserve the peace of Perry county, and protect her lawfully constituted authorities in the due performance of their duties, and thus insure the enforcement of law and order. General Newton repaired immediately to Perryville, as directed, made a thorough, fair and impartial investigation of the condition of affairs in the county, and reported to me in person. He ascertained that there was a most unfortunate state of feeling existing there; that in some degree this was due to what seemed a mistaken idea upon Judge Harris' part, of the extent of his powers as County and Probate Judge, and his manner of their exercise; that this had aroused a violent feeling of resentment and indignation against him in many quarters, while at the same time a large portion of the people were in sympathy with him in the matter; that thus the affair had grown from bad to worse, until what was alleged to be a too free use, and in some instances, an alleged abuse, of the power of punishing for contempt, by Judge Harris, had, in the opinion of many, taken the appearance of a disposition on his part to oppress, under the forms of law, certain individuals in the county; that whether true or not, this belief had taken hold of the minds of many good men in the county, and to such an extent had the irritation of feeling on the subject found its way, that many otherwise prudent and law-abiding citizens were rapidly arguing themselves into considering it justifiable, on the part of some of the parties themselves, and their friends, to forcibly resist this alleged arbitrary usurpation of authority; that it was believed that Capt. J. L. W. Matthews, the editor and publisher of the newspaper above mentioned, was the secret prompter of Judge Harris in all these things, and, so bitter had become the feeling, it was asserted that Matthews had conceived the wicked purpose of so bringing it about that

certain parties in the county should be by Judge Harris, upon a charge of contempt of court, incarcerated in the county jail, and be there, by the procurement of Matthews, murdered.

General Newton found that the resentment manifested itself most strongly against Matthews, but included Harris as the alleged pliant tool of Matthews. He likewise ascertained that in this condition of affairs, which was rapidly extending itself over the county, and forcing nearly the whole population into taking sides with the one faction or the other, either actively or in sympathy, it was not to be expected that the local authorities could, however faithfully they might try, cause such an investigation of charges brought against citizens in connection with these unhappy differences, as could be had by a tribunal freed from all local influences and personal attachments or animosities. He reported to me, furthermore, that unless something was done by the judicial authorities, and that speedily, there would most probably be further trouble, and even of a more serious nature, in the county, before the meeting of the Circuit Court in the fall. He recommended that Hon. Jabez M. Smith, the Circuit Judge, and Hon. J. B. Wood, the prosecuting attorney, of the circuit in which Perry county was situated, should proceed there at once; that the prosecuting attorney should cause warrants to be issued by Judge Smith for the arrest of the proper parties charged with, or sufficiently suspected of, any of the offences growing out of these troubles, and that the investigation, thus had, would, in his opinion, be satisfactory to all, and he was assured that it would have the effect to restore peace in the county and prevent further infractions of the law. He had seen and conversed with leading men of all shades of opinion in the county, and when he suggested this course to them he found that it met with cordial approval, and all had expressed a disposition to assist in bringing the really guilty ones before Judge Smith, and when they should

have been dealt with by him, sitting as an examining magistrate, then, that all should unite in preventing further disorders or infractions of the law. General Newton was all the more confident that this would give peace to Perry county, and thus avoid any necessity for interference in her affairs by the State authorities, from the fact that Judge Smith had pursued a similar course in a somewhat similar state of affairs in another of the counties of his circuit, during the administration of his Excellency, Gov. Garland, and with the happiest results.

Approving these suggestions, I immediately wrote to Judge Smith and prosecuting attorney Wood, on the subject. The latter came to Little Rock at once, and, heartily concurring in the suggestions, expressed himself ready to go to Perryville as soon as Judge Smith could be communicated with and could go. We ascertained that Judge Smith was temporarily absent, and Col. Wood returned to his home at Hot Springs with the expressed intention of coming again to Little Rock and accompanying Judge Smith to Perryville, when the latter should have been heard from. It was some little time before I could get in communication with Judge Smith. When he received my letters, however, he came to Little Rock, and expressed his perfect readiness to go to Perry county, for the purpose indicated, if the prosecuting attorney, or other representative of the State, authorized to originate proper prosecutions, should accompany him. I immediately telegraphed for Col. Wood, and repeated the dispatch twice on different days, but was unable to get in communication with him again on the subject, at that time. Judge Smith, after remaining here several days, returned home. I was informed afterwards, that Col. Wood was at the time engaged in official duties in Garland county, and hence did not return to Little Rock as was intended.

Matters remained in this condition for some weeks, when the intelligence reached me that Matthews had been assassinated, in the night time, at the doorstep of his office; and

again came rumors of even a more aggravated condition of affairs in the county. I immediately communicated with Colonel Wood, the Prosecuting Attorney of the circuit, on the subject, when he came to Little Rock, and, after consultation with me, he repaired in person to Perryville for the purpose of looking into the condition of matters there. He returned in a few days. His account of affairs in the county was confirmatory of what General Newton had reported several weeks before, with the addition of Matthews' murder, to the actual crimes committed. And yet not a single person had been held to answer for any offense against the law. I was loth to use the military force of the State in a county where, with the exception of coroner, there was a full complement of officers of the law, and where I believed, as General Newton had reported it to me as his opinion, there was a greater portion of the people who were law-abiding and anxious for the suppression of disorder, if only those who were charged with the duty, would firmly and faithfully perform it.

All question as to what had to be done, however, was speedily settled by the receipt of a letter from J. L. Vann, Esquire, the sheriff of the county, making a direct demand upon me, and which reached me on the 26th day of July. That letter is as follows:

MORRILLTON, ARK., July the 25th, 1881.

To His Excellency, Hon. T. J. Churchill, Governor of Arkansas:

DEAR SIR:—Under the present existing state of affairs in my county, I deem it necessary to write you. I suppose you have heard of the murder of John L. W. Matthews, and it is my opinion that there will be more of the same kind of work done if it is not stopped, as there is more parties threatened. I came over here to send for the prosecuting attorney, as we need him to prosecute the investigation, and I want you to take some steps to put the thing down, and stop it at what it is at, and I expect it will be necessary for you to send some troops up to assist me in executing the law, for, from what I can find out, there is an

organized band of these outlaws in the country, and I am unable to do anything with them without help. They have, to some extent, threatened me. I can get plenty of help in the country, but being unable to furnish with arms and ammunition, they would be of no benefit to me, as these outlaws, I suppose, is well armed and ready for business at any time. And now I want you to give these matters a due consideration and act immediately, because if there isn't something done to stop it, I will surely leave the county and give up my office, and I have heard a great many of our best men say they would leave the county, and I, for myself, feel unsafe under the existing state of affairs.

Hoping that you will take prompt action in the matter, I will close for the present. Answer by return mail. Direct to Perryville. Please keep this from the press.

Remain as ever yours, etc.,

(Signed :)

L. J. VANN,

Sheriff of Perry County, Ark.

It will be seen that the letter was written from Morrilton, in Conway county, and had the appearance of being written by a sheriff who had reason to leave his own county before venturing to pen it. At all events, it was a direct application from the chief peace officer of the county for help, and under the law there was no course open to me but to go to Perry county in person, or else send a discreet and competent officer, with a force sufficient to manifest the determination of the State authorities to suppress all disorder and vindicate the majesty of the law.

I accordingly ordered Major-General R. C. Newton to place the "Quapaw Guards" on active duty, and with them proceed to Perry county, and give all needful assistance to the civil authorities in the enforcement of the law and the preservation of the public peace. Inasmuch as Colonel Wood had informed me that the Circuit Court of Garland county, then immediately coming on, would require his personal attendance, as well as that of Judge Smith, and had recommended that I should employ special counsel to represent the interests of the State in the affairs of Perry county, I employed Hon. W. L. Terry, a competent and skilled

attorney, to proceed also to that county, and take such steps as might be deemed necessary in causing the arrest of parties charged with crime, and preventing further violations of the law there until the fall term of the Circuit Court of that county.

General Newton reached Perryville with his command on the 1st day of August, and reported by telegraph that all was quiet, and he believed the process of the courts could be executed without the actual use of the military for that purpose. Col. Terry caused warrants to be issued for two parties suspected of the murder of Matthews, which were placed in the hands of Sheriff Vann to be executed. The latter called on General Newton for a military guard, which that officer declined to furnish until there should be some indication of a resistance to the sheriff and his posse. The sheriff thereupon summoned a posse and executed the process. The parties were brought before a magistrate, and, after a lengthy examination, they were held to answer at the next term of the Circuit Court, and were immediately admitted to bail by the County Judge. This done, General Newton immediately withdrew his force from the county and reported it back to me. There has been no complaint of a serious nature in that county since.

I have stated the circumstances of this affair at greater length than I otherwise would, but for the fact that the demand upon me by Sheriff Vann for assistance, has never heretofore been made public, and consequently the matter has not been thoroughly understood. This was for the reason that, after consultation with General Newton, I was convinced that the public good demanded that the contents of the letter should be withheld until time and a change of officers in that county, should abate, in a great degree, the bitterness of feeling there, of which mention has already been made. This is now the case, and, besides, it is proper that the General Assembly should know the causes that im-

pelled me to a use of the military, and the employment of special counsel, in that county. It is due also to the people of Perry county that they should know that the Executive did not send the military among them until it was made his imperative duty by a direct application from more than one of their own chosen officers, showing a pressing necessity therefor.

The command was under the strictest discipline throughout, and no complaint has ever been made of its conduct, or that of any officer or soldier belonging to it.

CONCLUSION.

In conclusion, gentlemen, having discharged the duty imposed upon me by giving you all the information in my possession, and made such recommendations as I have thought necessary, it remains with you to consider and act upon them. Having now very nearly reached the close of my term of office, I shall very cheerfully lay down the authority with which I was clothed by the people, conscious, in all things, that I have acted to the best of my judgment for their best interests. Notwithstanding heavy inflictions were sustained by the people during the first year of my administration, I leave the State in a more satisfactory condition than when I entered upon the duties of Governor. Peace and good order prevail throughout our borders, the laborer has received his reward, agriculture and trade have flourished, manufactures have multiplied and prospered, and the facilities of travel and transportation have increased by the construction of more miles of railroad than during any other period in the history of the State. For all these blessings, and many more, it is becoming in us to express our grateful sense of the goodness of a gracious God.

T. J. CHURCHILL,

Governor of Arkansas.